SB Civil Writ Petition No.5047/2001

Nitish Kumar Gupta & ors Vs The State of Rajasthan & ors

9.8.2007

Hon'ble Mr Justice Ashok Parihar

Mr Anirudh Singh Shekhawat for Mr RP Garg – for petitioners

Mr JK Agawal, Addl GA – for respondents

BY THE COURT:

Admittedly, petitioners were given compassionate appointment on the post of Teacher Gr III. All the petitioners been untrained, a condition had been imposed that they have to pass the STC within the prescribed period. Petitioners were also relieved for completing the above training course. Having joined the above course the petitioners now have prayed that no fees be charged from them for the above training and, further, even the fees of the prescribed course is on higher side.

Since the petitioners were given appointment to the post of Teacher Gr III and they being untrained the appointment was given with certain conditions. Petitioners have to pay fees for the training course as prescribed by the State Government. No interference is called for by this court in such discretion of fixing the fees since the same is applicable on similarly situated persons. Having

considered entire facts and circumstances, the relief, as sought, cannot be granted by this court under writ jurisdiction. The writ petition is dismissed accordingly as having no merit. However, the petitioners are free to make proper representation to the concerning authorities for waiver of the fees on their discretion.

(Ashok Parihar) J.

bnsharma